

JAN 29 2007

Serial No. 09/817,303
Page 2 of 5**REMARKS**

Claims 1-12 pending in the application stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0188720 to Terrell et al. in view of U.S. Patent No. 5,941,947 to Brown et al. Applicants respectfully traverse the rejection.

The Examiner responded to Applicants' differentiation of the claimed "registering" of the received access request information from the description in Terrell et al. of merely correlating a trigger notification by simply stating that one skilled in the art "knows that use of correlating in the above paragraph is same as registering." Page 8, lines 9-10 of the Office Action. Applicants respectfully submit that the Examiner has not established a prima facie case of obviousness in that this statement is neither supported in the cited references nor by any evidence of the state of the art. Indeed, the term "registering" is defined as follows:

"v. reg-istered, reg-is-ter-ing, reg-is-ters

v. tr.

To enter in an official register.

To enroll officially or formally, especially in order to vote or attend classes.

To set down in writing; record: "It is for the historian to discover and register what actually happened" (Robert Conquest).

To indicate on or as if on an instrument or a scale.

To give outward signs of; express: Her face registered surprise.

To attain or achieve: registered a new high in sales.

To cause (mail) to be officially recorded and specially handled by payment of a fee.

To adjust so as to be properly aligned.

v. intr.

To place or cause placement of one's name in a register.

To have one's name officially placed on a list of eligible voters.

To enroll as a student.

To be indicated on or as if on an instrument or a scale.

To be shown or expressed, as on the face.

To make an impression; be recorded in the mind: The warning failed to register.

To be in proper alignment." (Emphasis added)

84192236_1

BEST AVAILABLE COPY

Serial No. 09/817,303

Page 3 of 5

The American Heritage® Dictionary of the English Language, Fourth Edition

Copyright © 2000 by Houghton Mifflin Company.

Published by Houghton Mifflin Company. All rights reserved.

As such, the Examiner has not shown, by clear evidence, that one skilled in the art would interpret the "correlating" described in Terrell et al. as being the same as the claimed "registering." Again, the cited portions of Terrell et al., relied upon by the Examiner, only includes description of a database lookup and correlation, and do not include any disclosure of registering or otherwise holding the trigger notification described therein. Indeed, such portions of Terrell et al. do not disclose or suggest the need to register the described trigger notification for the purpose of, say, referring back to it at a later time.

And thus, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Terrell et al. and Brown et al., the combination would still have failed to disclose or suggest,

"[a] network access control method for a network system comprising:

network apparatuses having packet filtering functions;

a service server connected with an IP network via the network apparatus, providing contents on the service server to a user;

a user terminal connected with the IP network via the network apparatus, for the user to utilize the contents on the service server;

a reception server connected with the IP network via the network apparatus, receiving an access request to the contents on the service server from the user on behalf of the service server; and

an access control server controlling the network apparatus for a limitation of the access request to the contents on the service server,

said method comprising the steps of:

a) said access control server first denying all the access requests directed to the contents on the service server via the network apparatus;

84192236_1

Serial No. 09/817,303

Page 4 of 5

b) said reception server receiving access request information to the contents on the service server from said user terminals, and registering them in an access list; and

c) said access control server extracting such an amount of the access request information from said access list, based on a processing capability of the service server and a traffic amount for the service server, as that said service server can optimally deal with, and performing traffic control to the network apparatus connected with the user terminals so as to allow the user terminals to directly access the contents on the service server in the other of access requests," as recited in claim 1. (Emphasis added)

The claimed invention provides for a system in which given request information is registered, and users who make the requests are informed that a waiting state is occurring, and actual access is allowed in sequence according to the order of the given access requests—in order to achieve a moderate amount of access for an application server for which, otherwise, too many accesses may be made at one time. Thus, the claimed invention provides for a function added inside, say, an IP network, by which request messages are registered while sessions thereof are kept, and the thus-registered messages are processed in sequence appropriately depending on a processing capability of a service providing server.

Accordingly, Applicants respectfully submit that claim 1 is patentable over Terrell et al. and Brown et al., separately and in combination, for at least the foregoing reasons. Claim 2 incorporates features that correspond to those of claim 1 cited above, and is, therefore, together with claims 3-12 dependent therefrom, patentable over the cited references for at least the same reasons.

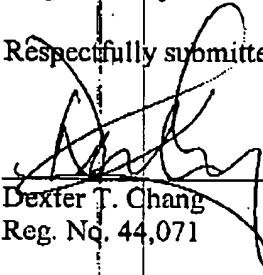
In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

841922236_1

Serial No. 09/817,303
Page 5 of 5

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304
Telephone: (212) 940-6384
Fax: (212) 940-8986 or 8987
Docket No.: 100794-11710 (FUJI 18,503)
DTC:bf

84192236_1